



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 1644	:	
	:	
Examiner: Yunsoo Kim	:	
	:	
In re Application of:	:	AMPHIREGULIN ANTIBODIES
Nicholas Landolfi <i>et al.</i>	:	AND THEIR USE TO TREAT
	:	CANCER AND PSORIASIS
Serial No.: 10/774,076	:	
	:	
Filing Date: February 6, 2004	:	
	:	
Attorney Docket No.: 161 US UT01	:	
	:	
Customer No.: 47470	:	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Fremont, CA 94555
February 21, 2006

Mail Stop: RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir or Madam:

Applicants, in accordance with their duty of disclosure pursuant to 37 C.F.R. § 1.56, hereby advise the United States Patent and Trademark Office of the references listed on the accompanying Form PTO/SB/08A Information Disclosure Statement by Applicant.

Applicants respectfully request that the listed references be considered by the examiner and be made of record in the above-identified application. Accordingly, the examiner is requested to initial and return to applicants a copy of Form PTO/SB/08A, in accordance with MPEP § 609.

Applicants note that although the listed references may be relevant to the examination of the above-referenced application, under 37 C.F.R. § 1.97(h), the filing of this Information Disclosure Statement "shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56(b)."

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

☒ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):

- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)
-- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage
-- OR --
- ☐ (3) It is being filed before the mail date of the first Office Action on the merits
-- OR --
- ☒ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

☐ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:

- ☐ a certification as specified in §1.97(e) is provided below; **or**
- ☐ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:

- A. a certification as specified in §1.97(e) is completed below; and
- B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**
- C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☐ Copies of each of the references listed on the attached Forms PTO-1449 are enclosed herewith. Due to the voluminous nature of the references, each reference is provided in PDF format on the attached CD ROM, clearly titled by publication number or author.

☒ Copies of references listed on the attached Form PTO-1449 are enclosed herewith.

- ☐ In view of the voluminous nature of references, and the likelihood that these references are available to the Examiner in the file history of the parent application (Serial No.), copies are not enclosed herewith.
- ☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.
- ☐ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i)).
- ☒ There are no listed references that are not in the English language.
- ☐ The relevance of those listed references which are not in the English language is as follows:
- ☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.
- ☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.
- ☒ *Fee Authorization.* The Commissioner is hereby authorized to charge the above-referenced fee of \$ 0 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 50-3270 (Docket No 161 US UT01).

Respectfully submitted,

Dated: 2/21/06

By: Michael Biro
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PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/774,076
				Filing Date	February 6, 2004
				First Named Inventor	LANDOLFI, <i>et al.</i>
				Art Unit	1644
				Examiner Name	Yunsoo KIM
Sheet	1	of	2	Attorney Docket Number	161 US UT01

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
		EP-1 074 617-A2	02-07-2001			
		EP -1 249 237-A1	10-16-2002			
		WO-2001/070979-A2	09-27-2001			
		WO-2001/070984-A2	09-27-2001			
		WO-2001/096389-A1	12/20/2001			
		WO-2002/010449-A2	02-07-2002			
		WO-2002/041763-A2	05-30-2002			
		WO -2002/057414-A2	07-25-2002			
		WO-2002/074979-A2	09-26-2002			
		WO-2002/077234-A2	10-03-2002			
		WO-2002/085298-A2	10-31-2002			
		WO-2002/092000-A2	11-21-2002			
		WO-2003/008583-A2	01-30-2003			
		WO-2003/014159-A1	02-20-2003			
		WO-2003/022222-A2	03-20-2003			
		WO-1990/014069-A2	11-29-1990			
		WO-1996/012019-A2	04-25-1996			
		WO-1997/023507-A2	07-03-1997			
		WO-1999/038972-A2	08-05-1999			
Examiner signature				Date Considered		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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				Art Unit	1644
				Examiner Name	Kim YUNSOO
Sheet	2	of	2	Attorney Docket Number	161 US UT01
NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T ²
		Cook <i>et al.</i> , "Overexpression of Amphiregulin in the Epidermis of Transgenic Mice Induces a Psoriasis-Like Cutaneous Phenotype," J. Invest. Dermatol. 113(5): 860 (Nov. 1999).			
Examiner signature				Date Considered	

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